

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Milavetz, Gallop & Milavetz, P.A.,

Plaintiff,

v.

Wells Fargo Bank, N.A.,

Defendant.

Civil No. 12-0875 (MJD/JJG)

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation are **ADOPTED**;
2. Counts I, V, XI, XII, XIII, and Count XIV (with respect to claims for wrongful set-off and negligence *per se*) **IS DISMISSED WITH PREJUDICE**;
3. Count IV **IS DISMISSED WITHOUT PREJUDICE**; and
4. Count XIV (as it pertains to conversion) is allowed to stand.

Dated: September 14, 2012

s/Michael J. Davis
MICHAEL J. DAVIS
Chief Judge
United States District